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U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Applicant Initiated Interview Request Form

Application No.: 09/743,738 First Named Applicant: Hans NUSSKERN
Examiner: Ernesto Garcia Art Unit: 3679 Status of Application: _____

Tentative Participants:
(1) Examiner Garcia (2) Supervisor Anthony Knight
(3) Catherine M. Voorhees (4) _____

Proposed Date of Interview: 5/11/04 **Proposed Time:** 10:00 (AM/PM)

Type of Interview Requested:
(1) [ ] Telephonic (2) [x] Personal (3) [ ] Video Conference

Exhibit To Be Shown or Demonstrated: [ ] YES [x] NO
If yes, provide brief description: _____

Issues To Be Discussed

Issues (Rej., Obj., etc)	Claims/ Fig. #s	Prior Art	Discussed	Agreed	Not Agreed
(1) § 102 Rejection	31,32, 34 & 62 36, 53, 58	Renz	[ ]	[ ]	[ ]
(2) Obj.	Spec		[ ]	[ ]	[ ]
(3)			[ ]	[ ]	[ ]
(4)			[ ]	[ ]	[ ]

[x] Continuation Sheet Attached

Brief Description of Arguments to be Presented:
Amended claims 31 and 55 as attached. "Functional language, preambles, and language in 'whereby'...clauses cannot be disregarded." Pac. Tec. Inc. v. Amerace Corp. 14 USPQ 2d 1871 (Fed. Cir. 1990). (CONT'D)

An interview was conducted on the above-identified application on _____.

NOTE:
This form should be completed by applicant and submitted to the examiner in advance of the interview (see MPEP § 713.01).
This application will not be delayed from issue because of applicant's failure to submit a written record of this interview. Therefore, applicant is advised to file a statement of the substance of this interview (37 CFR 1.133(b)) as soon as possible.

_____ _____
(Applicant/Applicant's Representative Signature) (Examiner/SPE Signature)

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Applicant Initiated Interview Request Form
Continuation Sheet

The Action refers to a general statement in column 2, lines 40-47 or Renz and interprets the passage to contradict the "Detailed Description". Renz releases the stress before putting the parts together so that expansion element can be inserted into workpiece 6. The external force is applied after the parts have been put together so that expansion element can hold the workpiece. The "whereby" clause of claim 31 recites the opposite. The spring or sleeve is pre-tensioned by compression in order to insert the constructive element and the clamping sleeve partially relaxed to apply the holding force (realize the connection.

#544330

Applicant(s) Hans NUSSKERN, et al.
Application No. 09/743,738
Attorney Docket :39129-183650

Attachment

Claim Proposals
U.S. Application No. 09/743,738

Claim 31. (Currently Amended): A connecting element for mechanically connecting constructive elements, said connecting element comprising an elastically deformable tensioning element adapted to apply a holding force in an elastically expanded state onto a constructive element that is to be connected, thus generating a frictional connection of said constructive element with at least one of said tensioning element and another constructive element,

wherein

said tensioning element has a length in the axial direction and comprises one of a clamping sleeve and a helical spring, into which the constructive element to be connected is to be inserted in the axial direction, and a spring material consisting of a superelastic shape memory alloy elastically expandable in the tensioning element, said tensioning element being in a stress-induced martensitic state to produce the holding force, ~~and wherein said constructive element to be connected is to be inserted in the axial direction of said tensioning element~~ whereby the respective one of the clamping sleeve and helical spring is elastically deformed and pre-tensioned by compression in order to insert the constructive element, and the clamping sleeve is partially relaxed for realizing the connection.

Claim 55. (Currently Amended): ~~The~~ A connecting element ~~according to claim 53,~~ for mechanically connecting constructive elements, said connecting element comprising an elastically deformable tensioning element adapted to apply a holding force in an elastically expanded state

Attachment

Claim Proposals
U.S. Application No. 09/743,738

onto a constructive element that is to be connected, thus generating a frictional connection of said constructive element with at least one of said tensioning element and another constructive element,

wherein

said tensioning element has a length in the axial direction, comprises a clamping sleeve, into which the constructive element to be connected is to be inserted in the axial direction, and comprises a spring material consisting of a superelastic shape memory alloy elastically expandable in the tensioning element, said tensioning element being in a stress-induced martensitic state to produce the holding force, and

wherein the clamping sleeve has an oval cross section in the relaxed state, a deformed state as compared to the relaxed state in the pre-tensioned state, and an oval cross section in the partially relaxed state.

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TO:	FAX NUMBER:	PHONE NUMBER:
Examiner Ernesto Garcia **U.S. Patent and Trademark Office**	**703-746-3602**	
SENDER: Catherine M. Voorhees **EQUITRAC: 2293**	SENDER'S FAX NUMBER: (202) 344-8300	SENDER'S PHONE NUMBER: (202) 344-4043
	SENDER'S ASSISTANT: Evelyn L. Wright	ASSISTANT'S PHONE NUMBER: (202) 344-8355
DATE: May 5, 2004	CLIENT/MATTER NUMBER: 39129-183650	PAGES, EXCLUDING COVER: 4

RE: Application No. 09/743-738—Hans Nusskern et al.
Attorney Docket : 39129-183650

MESSAGE: Attached is an Applicant Initialed Interview Request Form.

Catherine M. Voorhees

DC2/522612

Attachment

Claim Proposals
U.S. Application No. 09/743,738

Claim 31. (Currently Amended): A connecting element for mechanically connecting constructive elements, said connecting element comprising an elastically deformable tensioning element adapted to apply a holding force in an elastically expanded state onto a constructive element that is to be connected, thus generating a frictional connection of said constructive element with at least one of said tensioning element and another constructive element,

wherein

said tensioning element has a length in the axial direction and comprises one of a clamping sleeve and a helical spring, into which the constructive element to be connected is to be inserted in the axial direction, and a spring material consisting of a superelastic shape memory alloy elastically expandable in the tensioning element, said tensioning element being in a stress-induced martensitic state to produce the holding force, ~~and wherein said constructive element to be connected is to be inserted in the axial direction of said tensioning element~~ whereby the respective one of the clamping sleeve and helical spring is elastically deformed and pre-tensioned by compression in order to insert the constructive element, and the clamping sleeve is partially relaxed for realizing the connection.

Claim 55. (Currently Amended): ~~The~~ A connecting element ~~according to claim 53,~~ for mechanically connecting constructive elements, said connecting element comprising an elastically deformable tensioning element adapted to apply a holding force in an elastically expanded state

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Claim Proposals
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onto a constructive element that is to be connected, thus generating a frictional connection of said constructive element with at least one of said tensioning element and another constructive element,

wherein

said tensioning element has a length in the axial direction, comprises a clamping sleeve, into which the constructive element to be connected is to be inserted in the axial direction, and comprises a spring material consisting of a superelastic shape memory alloy elastically expandable in the tensioning element, said tensioning element being in a stress-induced martensitic state to produce the holding force, and

wherein the clamping sleeve has an oval cross section in the relaxed state, a deformed state as compared to the relaxed state in the pre-tensioned state, and an oval cross section in the partially relaxed state.